



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 7, 1999

Sandler & Reiff, P.C.  
Neil P. Reiff, Esquire  
6 E Street, SE  
Washington, DC 20003

RE: MUR 4906  
Iowa Democratic Party and  
Mary Maloney, as treasurer

Dear Mr. Reiff:

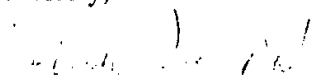
On November 23, 1999, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on your client's behalf in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(iii), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). Accordingly, the file has been closed in this matter. Please be advised that the civil penalty in this agreement reflects unusual factors brought forth during the investigation.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 694-1650.

Sincerely,

  
Deborah L. Rice  
Paralegal Specialist

Enclosure: Conciliation Agreement

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of

Iowa Democratic Party and  
Mary Maloney, as treasurer

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MUR 4906

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RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

**CONCILIATION AGREEMENT**

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Iowa Democratic Party and Mary Maloney, as treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(4)(A)(iii).

NOW, THEREFORE, the Commission and the Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. The Iowa Democratic Party ("the Committee") is a political committee within the meaning of 2 U.S.C. § 431(4), and is not the authorized committee of any candidate. The Committee elected to file its reports with the Commission on a quarterly basis.

2. Mary Maloney is the current treasurer of the Committee.

3. The Federal Election Campaign Act of 1971, as amended, provides that all political committees other than authorized committees of a candidate shall file a post-general election report, which shall be filed no later than the 30<sup>th</sup> day after the general election and which shall be complete as of the 20<sup>th</sup> day after such general election. 2 U.S.C. § 434(a)(4)(A)(iii).

4. The Committee failed to timely file the 1998 30 Day Post-General Election Report of Receipts and Disbursements covering the period from October 15, 1998 to November 23, 1998. On December 29, 1997, September 30, 1998 and November 5, 1998, the Commission sent prior notices to the Committee advising that the 1998 30 Day Post-General Election Report was due on December 3, 1998. A Non-Filer Notice was sent to the Committee via mailgram on December 29, 1998 for failure to file the 1998 30 Day Post-General Election Report.

5. On December 3, 1998, Steve Mandernach, Comptroller for the Committee, contacted the Commission by letter. Mr. Mandernach's letter stated that the Committee was attempting to complete previous filings and that the Committee would be unable to file the Post-General Report. Mr. Mandernach contacted the Commission again on February 26, 1999. He stated that the Committee's bookkeeper had passed away and the Committee had had serious computer problems which delayed the filing of their reports.

6. The Committee filed the 1998 30 Day Post-General Election Report on March 24, 1999, 110 days late. The amended report, filed on May 4, 1999, disclosed \$627,684 in total receipts and \$716,406 in total disbursements. The amended report disclosed \$183,602 in federal receipts and \$195,050 in federal disbursements.

V. Respondents failed to timely file the 1998 30 Day Post-General Election Report in violation of 2 U.S.C. § 434(a)(4)(A)(iii).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Six Thousand Dollars (\$6,000), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise or agreement, either written or oral,

made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble  
General Counsel

BY:

Lois G. Lerner by AAS  
Lois G. Lerner  
Associate General Counsel

12/6/99  
Date

FOR THE RESPONDENTS:

[Signature]  
Iowa Democratic Party  
~~Treasurer~~ Attorney for Respondents

11/9/99  
Date